

**RULES
OF
THE STATE BOARD OF EDUCATION**

**CHAPTER 0520-14-1
CHARTER SCHOOLS**

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0520-14-1-.01 APPROVAL OF A CHARTER SCHOOL.

- (1) The commissioner of education shall provide an application for sponsors to use in applying for a public school charter as authorized under the Tennessee Public Charter Schools Act of 2002, T.C.A. § 49-13-106(b)(1) and (b)(2).
- (2) The commissioner of education shall provide to the chartering authority (local board of education) sample scoring criteria addressing the elements of the charter school application specified in the Tennessee Public Charter Schools Act of 2002.
- (3) The chartering authority shall forward a copy of each application for a charter school to the commissioner of education and shall notify the commissioner immediately upon official action approving or denying approval of an application for a charter school. The commissioner of education shall notify the executive director of the state board of education of applications approved and denied by the chartering authority.
- (4) In the event that a sponsor submits an amended application, the chartering authority shall notify the commissioner of education immediately upon official action approving or denying approval of an amended application for a charter school. The commissioner of education shall notify the executive director of the state board of education of amended applications denied by the chartering authority.

Authority: T.C.A. §§49-1-302, 49-13-106, 49-13-107, 49-13-108, and 49-13-126. **Administrative History:** Original rule filed March 31, 2003; effective July 29, 2003.

0520-14-1-.02 APPEALS.

- (1) Appeals.

The sponsor may appeal a decision by the chartering authority to deny an amended application for a newly created public school to the state board of education within ten (10) days. The sponsor shall forward the amended application to the executive director of the state board of education. The state board of education may request additional documentation from the sponsor and the chartering authority.

- (2) In reviewing the amended application, the state board of education shall use the sample scoring criteria provided by the commissioner of education to the local boards of education. In reviewing the amended application, the state board of education shall review the decision of the local board of education.
- (3) Within sixty (60) days after receipt of the notice of appeal or the making of a motion to review by the state board and after reasonable public notice, the state board of education shall hold a public hearing, attended by the board or its designated representative, in the school district in which the proposed charter school has applied for a charter. Subsequently, but within the sixty (60) days, the state board of education shall review the decision of the local board and shall forward its findings to the local board of education.

(Rule 0520-14-1-.02, continued)

- (4) If the state board finds that the local board's decision was contrary to the best interests of the students, school district, or community, the state board shall remand such decision to the local board of education with written instructions for approval of the charter.

Authority: T.C.A. §§49-1-302, 49-13-106, 49-13-107, 49-13-108, and 49-13-126. **Administrative History:** Original rule filed March 31, 2003; effective July 29, 2003. Amendment filed December 28, 2005; effective April 28, 2006.